

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	S	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET	
	YR.	NUMBER	MO.	DAY	YEAR										YR.	NUMBER
1085/4	75	0214	5-	30	75	2	870	1				11	8509		75	0214 B (cons. w/
													DEFENDANTS		75-C-0215 B)	

PLAINTIFFS

M. H. JONES, et al

UNITED STATES OF AMERICA

CAUSE

Action for recovery of Fed. employment taxes assessed and collected by IRS;
T.28, Section 1346(a)(1)

ATTORNEYS

Charles B. Tetrick
Donald P. Moyers
John M. Imel
920 Natl. Bank of Tulsa
Tulsa, Ok. 74103

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William W. Guild
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Department of Justice
8B37 Federal Office Building
1100 Commerce Street 449-1251
Dallas, Texas 75202

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	6-1-75
				JS-6	9-1-76

DATE	NR.	PROCEEDINGS
5-30-75	1	Complaint, filed. g Summons issued.
6-3-75		Summons, ret. & filed: served U. S. Atty., Tulsa, Ok., served Atty. Gen., Wash. D. C. by certified mail and served Commr. Internal Revenue by certified mail, 6-2-75. (USM \$6.00)g
8-5-75	2.	ANSWER of U.S.A., filed. b
9-5-75	3.	Motion & Brief for Order of Consolidation of the plaintiff, filed.mm
9-5-75		MO: It is ordered by the Court that the defendant file a responsive brief within 10 days to the ^{plaintiffs} Motion for Consolidation of 75-C-214 & 75-C-215. (AEB-J) cps mld mm
9-15-75	4.	Response of the USA stating they have no objections to the consolidation of this case W.75-C-215, filed. mm
9-24-75	5.	Deft's interrogs. to pltf. M. H. Jones, filed. lm
10-9-75	MO	Parties are directed to hold PT conf. on or before 11-19-75 & file PT Order on or before 11-26-75. (AEB-J)k cps by cert mail
10-14-75	6.	Order, filed, sustaining pltf's motion to consolidate & consolidating case no. 75-C-215 into this case. (AEB-J)k cps mld
10-22	7.	Deft's Amendment to Ans. and Counterclaims, filed.jj
10-23	8.	M. H. Jones', Pltf. Answers to Deft's Interrogatories, filed.jj
10-23	9.	Jerry Jones', Pltf. Answers to Deft's Interrogatories, filed.jj
10-24	10.	Plaintiffs' reply to Deft.'s Amendment to Answer and Counterclaims, filed.k
11-25	11	Appl. & proposed order of plaintiffs for ext. of time to file pre-trial order, filed. tc (O - as part of Appl. due to 3)
11-28		Order, filed, granting pltfs. til 12-26-75 to file PT Order. (AEB-J)k cps mld
12-30	12	Pretrial Order granting in no event will the parties identify additional witnesses or documents later than fifteen days prior to trial unless express permission from the Court is requested and granted, filed. (AEB-J)tc cps. mld.
1-27-76	MO:	Case set for NON-JURY TRIAL on 3-1-76 at 10:00 a.m. (AEB-J)v -ntc mld
1-27		Dep. of Jerry Jones on behalf of deft., taken before Donald Lindquist CSR, 12-22-75. Fee of \$69.00 pd. by deft.jj
1-27		Dep. of M.H. Jones on behalf of deft. taken before Donald Lindquist CSR, 12-22-75. Fee of \$195.00 pd. by deft.jj
2-4	13	Deft's request for production of documents, filed. g
2-12	14.	Pltfs' mo. for continuance of Non-Jury Trial, filed. ph ok
2-17	15.	Order, filed, granting motion for continuance. Case to be re-set on next docket.(AEB-J)b cps mld
2-20	16.	Pltfs' response to deft's request for production of documents & objs. thereto, filed.k
4-1	MO	Case set for Non-jury trial on 6-1-76, at 10:00 AM.(AEB-J)b nts mld w/affid.
4-30		Subpoena returned & filed; Served Herman Patterson; I. Jackson; L. England; O. Smith; J. Jones; M.H. Jones; (USM Fee: \$47.12) b

DATE	PROCEEDINGS	Date Order of Judgment Noted
5-10-76	17. Deft's Notice of Intention to Take Oral Deposition, of C. R. Botts, Miss. Dale Perry, Ark. Ida Mae Parsley, Ark., Leland Greenhaw, Ark., filed. t	
5-10-76	18. Deft's Mot. to Compel Production of Documents, filed. t	
5-10	19. Memo. in Support of Deft's Mot. to Compel Production of Documents, filed. t	
5-10	MO: It is ordered by the Court that Pltf is granted 10 days from this date to respond to Deft.'s Motion to Compel Production of Documents. (AEB-J) t	
5-10	USM Service return and filed; served Oscar Lee Bozarth in Quapaw, Ok. on 5-7-76; served Joe Vaughan in Miami, Okla. on 5-7-76 (Fees \$26.00) t	
5-12	Return on Civil Subpoena to Produce Document, fld. Executed by serving Joel Thomas in Bartlesville, OK, on 5-11-76. v	
5-14	20. Brief for the defendant, filed. g	
5-14	21 Trial Brf for Pltfs., filed. t	
5-17	Subpoena, ret. & filed: served Virgil L. Gullick, Wagoner, Ok. on 5-13-76. (USM \$6.36) g	
5-18	22. Pltfs' response to deft's mot. to compel production of documents and objections thereto, filed. k <i>file 5-18-76</i>	
5-25	Return on USM service of subpoenae, filed. Served Bentley Frayser on 5-25-76; served George Driskill on 5-25-76; served Herman Patterson on 5-25-76; served Mr. Aaron McGuire on 5-17-76; served John Pancake on 5-17-76; served Henry Moore on 5-17-76; served Orval Reeves on 5-17-76; served Marion McGuire on 5-17-76. (USM: \$82.24) k	
5-27	Deposition of Dale Perry taken before Donald R. Lindquist, CSR, filed. (\$49.50) s	
5-27	Deposition of Leland Greenhaw taken before Donald R. Linquist, CSR, on 5-19-76, filed. (\$106.50) s	
5-27	Deposition of George Lyons taken before Donald R. Linquist, CSR, on 5-19-76, filed. (\$10.50) s	
5-27	Deposition of Mae Parsley taken before Donald R. Linquist, CSR, on 5-19-76, filed. (\$54.00) s	
5-27	Deposition of C. R. Botts taken before Donald R. Linquist, CSR, on 5-19-76, filed. (\$76.50) s	
5-28	23 Deft's. witness list filed. s	
5-28	MO: Case is stricken from non-jury docket of 6-1-76, to be re-set by the Court. (AEB-J) b nts by phone	
5-28	24 Pltfs'. affidavit regarding exhibits, filed. s	
5-28	25 Pltfs'. witness list, filed. s	
6-1	MO: Case set for Non-Jury trial on 6-9-76, at 10:00 A.M. (AEB-J) b nts by phone to Guild & in Ct. to Imel	

DATE 1976	PROCEEDINGS	Date Order or Judgment Note
6-1	26. Deft's exhibit affidavit filed.s	
6-1	27. Deft's revised witness list filed.s	
6-9	Subpoena, ret. & filed: served Joel Thomas, IRS Agt., 6-8-76. (USM \$24.08)g	
6-10	Case tried to Court on 6-9 & 6-10-76. Parties present & represented. Rule is invoked. Parties make opening statements. Ct. overrules Deft's motion to compel. Pltf. presents case in chief, witnesses sworn & testify. Deft. witness K. Tucker allowed to testify out of turn. Ct. recesses at 4:55 P.M. All witnesses recognized back on 6-10-76. Parties stipulate to Driskills testimony if he were to testify. Pltf. rests. Deft. presents case in chief, witnesses sworn & testify. Parties rest. Ct. orders parties to file Findings of Fact & Conclusions of Law in 30 days Or 2 weeks from date of receipt of transcript. Pltf. offers depositions of parties not present: Parsley, Botts & Greenhaw. Deft. offers depositions of Perry. Ct. adjourned. (AEB-J)b	
6-10	Pltfs' exhibits 1-4, 7,8,11-14, filed. b	
6-10	Deft's exhibits 1a,b,c,d,f,h,i, 2,3,4,5, filed. b	
7-6	Transcript of non-jury trial on 6-(& 10, 1976, filed. (GRD-CSR)g	
7-9	Transcript of non-jury trial on 6-9-76 & 6-10-76 at the time opening statements were being presented by counsel, filed. (GRD-CSR)k	
7-19	Deft's proposed findings of fact and conclusions of law, filed.s	
7-29	29. Findings of fact and conclusions of law, filed & entered. (AEB-J)k	cps mld
8-6	30. Judgment, filed & entered, that pltf. recover \$11,366.05* from deft., and that deft's counterclaim be dismissed with prejudice. (AEB-J)k cps mld *plus costs.	
8-13	31. Bill of Costs, filed. Hrg. set for August 26, 1976, at 10:00 a.m. before the Clerk. v	
8-26	32. Deft's objections to pltfs' bill of costs, filed.k	
9-7	33. Pltf's Brief in reply to deft's objs. to pltfs bill of costs, filed.lm	
10-5	34. Notice of appeal (in both cases) by def. from judg. of 8/6/76 and FF/CL of 7/29/76, filed. rm (copies to counsel and USCA)	
11-1	MinUte: Costs taxed by Clerk in amt. of \$1,327.57, in favor of pltfs. and against defs.(JCS-Clk)rm	
11-5	Original appeal record (5 vols) transmitted to USCA. rm	
11-8	35. Deft's mot. for review of costs, filed.k	
11-8	36. Deft's memorandum in support of opposition to pltfs' bill of costs, filed.k	
11-9	MO It is ordered by the Court that the pltfs. file a responsive brief w/in 10 days to deft's mot. to review costs. Further, that a ruling on said mot. shall not be made until deft's appeal from judgment herein has run. (AEB-J)k cps mld	
11-18	37. Pltfs' brief in reply to deft's objs. to pltfs' bill of costs, filed.k	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
M. H. Jones	U.S.A.	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
11-30-76		Mandate of USCA, 10th Circuit, dismissing appeal on stipulation of parties, filed & spread of record. g
12-17-76		Appeal record (5 vols.) recd from USCA. g
12-20		Order, fld., sustaining the order of the Clerk taxing costs against the Deft. in the amount of \$1,327.57 & in favor of the pltfs. (AEB-J)v -cps. mld.
6-21-78		Release & satisfaction of judgment. fld. ho

PLAINTIFF

DOCKET NO. _____

PAGE ____ OF ____ PAGES

DATE

NR.

PROCEEDINGS